

In the United States Court of Federal Claims

No. 16-1545L

(Filed: April 27, 2021)

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| FRANK PENNA and    | ) |
| LISA PENNA,        | ) |
|                    | ) |
| <i>Plaintiffs,</i> | ) |
|                    | ) |
| v.                 | ) |
|                    | ) |
| THE UNITED STATES, | ) |
|                    | ) |
| <i>Defendant.</i>  | ) |
|                    | ) |

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ORDER

On March 23, 2021, this Court granted the government's 52(c) motion for judgment on partial findings. ECF No. 142. Additionally, the Court ordered the parties to meet and confer and to report back to the Court by April 6, 2021 on an agreed-upon amount of awarded costs, expenses, attorney's fees, and a payment schedule (if warranted), resulting from sanctions imposed on counsel of record for Plaintiffs for a violation of this Court's discovery rules. *Id.* The parties subsequently requested a two-week extension of time, ECF No. 143, which the Court granted. ECF No. 144.

On April 20, 2021, the parties filed a joint stipulation in response to the Court's March 23, 2021 order. ECF No. 145. In that stipulation, the parties agreed that the amount of attorney's fees, expenses, and costs due to the sanctions is \$24,000. *Id.* The parties further agreed that Plaintiffs' counsel may pay the aforementioned \$24,000 in four equal installments of \$6,000.<sup>1</sup>

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<sup>1</sup> The first payment is due to the government no more than sixty days after the exhaustion of appellate rights for the Court's March 23, 2021 order, and the second, third, and fourth payments are due on the respective annual anniversaries of the first payment.

Accordingly, the Clerk is directed to enter **JUDGMENT** for Defendant, the United States, and Plaintiffs' counsel is directed to pay \$24,000 without recourse to his clients and in a manner consistent with both the April 20, 2021 joint stipulation and the Court's decision on the government's 52(c) motion. ECF No. 142.

It is so **ORDERED**.

s/ Matthew H. Solomson  
Matthew H. Solomson  
Judge